

**Remarks/Arguments**

**The Rejection of Claims 1, 17, 24, 27, 36, and 38 Under 35 U.S.C. §102(b)**

The Examiner rejected Claims 1, 17, 24, 27, 36, and 38 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,348,142 (Nishimura et al.). Applicant respectfully traverses the rejection.

**Claim 1**

Claim 1 recites: “actuating means, carried by said pallet, for moving said first and said second support means toward and/or away from each other in said substantially axial direction with respect to said armature axis at said moment of receiving and/or releasing said portion of said shaft,”

The Examiner has cited element 38 of Nishimura as being analogous to the actuator recited in Claim 1. However, element 38 in Nishimura is a handle or interface – a passive element that is engaged by separate active element to cause movement in Nishimura’s device. Despite the fact that Nishimura incorrectly refers to element 38 as an “actuator,” element 38 is not an actuator as would be understood by a person skilled in the art.

However, despite the misapplication of the term “actuator” by Nishimura, Applicant has further amended Claim 1 to recite: “wherein said actuating means directly generates energy for moving said first and said second support means.” It is clear that element 38 of Nishimura does not and cannot directly generate energy. Element 38 is a passive, energy-receiving device. For example, as shown in Figure 4 of Nishimura, jaw 112 is connected to element 38 in order to transfer energy from a separate device, such as motor 118.

Nishimura does not teach all the elements of Claim 1, therefore, Claim 1 is novel with respect to Nishimura. Claims 17, 24, and 27, dependent from Claim 1, enjoy the same distinction with respect to Nishimura.

### **Claim 36**

Claim 36 recites: “wherein said actuating means directly generates energy for moving said first and said second support means.” Therefore, the arguments regarding Claim 1 are applicable to Claim 36 and Claim 36 is novel with respect to Nishimura. Claim 38, dependent from Claim 36, enjoys the same distinction with respect to Nishimura.

### **New Claim 39**

New Claim 39 recites: “actuating means, carried by said base, for displacing said first and second support means, wherein said actuating means directly generates energy for displacing said first and second support means.”

Therefore, the arguments regarding Claim 1 are applicable to Claim 39 and Claim 39 is novel with respect to Nishimura.

Applicant courteously requests that the rejection be removed.

### The Rejection of Claims 19, 21-25, 27, 33-35, and 37 Under 35 U.S.C. §103(a)

The Examiner rejected Claims 19, 21-25, 27, 33-35, and 37 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,348,142 (Nishimura et al.). Applicant respectfully traverses the rejection.

### **Claim 1**

Applicant has shown that Nishimura does not teach all the elements of Claim 1, in particular: “actuating means, carried by said pallet, for moving said first and said second support means toward and/or away from each other in said substantially axial direction with respect to said armature axis at said moment of receiving and/or releasing said portion of said shaft, wherein said actuating means directly generates energy for moving said first and said second support means.” Nor does Nishimura suggest or motivate the actuator recited in Claim 1. Nishimura’s element 38 is a passive element and Nishimura’s principle of operation is wholly dependent upon an outside energy-providing source connecting with element 38 to transfer energy to element 38, for example, as shown in Figure 4 or Nishimura.

Nishimura fails to teach suggest, or motivate all the elements of Claim 1; therefore, Claim 1 is patentable over Nishimura. Claims 19, 21-25, and 27, dependent from Claim 1, enjoy the same distinction with respect to Nishimura.

**Claim 33**

Claim 33 recites: “wherein at least one of said support means has an elongated portion movable in a substantially axial direction suitable for engaging a portion of said shaft of said armature, said elongated portion being capable of inserting into a position roughly between coils of said armature and said shaft of said armature,” The Examiner failed to address this limitation in the rejection. In the rejection of Claim 1, the Examiner cited elements 26 and 28 of Nishimura as being analogous to the support means recited in Claim 1. Elements 26 and 28 are bridging elements. A work piece is laid upon blocks 22 and 24, which include indents, or support surfaces 30 and 32. Therefore, only portions of an armature shaft extending axially past the coils could lay in the indents on surfaces 30 and 32 on Nishimura’s device, or the coils themselves could lay in the indents. There is no elongated portion that could be inserted between armature coils and shaft. The Examiner cites an elongated portion in Nishimura as being replaceable, but has not specified what part of Nishimura is the alleged elongated portion.

Nishimura does not teach, suggest, or motivate every element of Claim 33; therefore, Claim 33 is patentable over Nishimura.

**Claim 34**

Claim 34 recites: “wherein said actuating means directly generates energy for moving said first and said second support means.” Therefore, the arguments regarding Claim 1 are applicable to Claim 34 and Claim 34 is patentable over Nishimura. Claim 35, dependent from Claim 34, enjoys the same distinction with respect to Nishimura.

**Claim 36**

Claim 36 recites: “wherein said actuating means directly generates energy for moving said first and said second support means.”

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Therefore, the arguments regarding Claim 1 are applicable to Claim 36 and Claim 36 is patentable over Nishimura. Claim 37, dependent from Claim 36, enjoys the same distinction with respect to Nishimura.

**New Claim 39**

New Claim 39 recites: "actuating means, carried by said base, for displacing said first and second support means, wherein said actuating means directly generates energy for displacing said first and second support means."

Therefore, the arguments regarding Claim 1 are applicable to Claim 39 and Claim 39 is patentable over Nishimura.

Applicant courteously requests that the rejection be removed.

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**Conclusion**

Applicant respectfully submits that all pending claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,

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